

VILLAGE OF WAYNE  
DUPAGE AND KANE COUNTIES, ILLINOIS

ORDINANCE NO. 00-09

AN ORDINANCE AMENDING TITLE 4, PUBLIC  
HEALTH AND SANITATION, OF THE WAYNE VILLAGE  
CODE BY ADDING A NEW CHAPTER 6, OPEN BURNING

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of  
the Village of Wayne, DuPage and Kane Counties, State of Illinois, as follows:

Section 1. That Title 4 of the Wayne Village Code is amended by adding a  
new Chapter 6, Open Burning, as follows:

CHAPTER 6  
OPEN BURNING

4-6-1 DEFINITIONS.

- Open Burning: The combustion of any matter in such a manner that  
the products of combustion are emitted to the open air  
without originating in or passing through any  
equipment.
- Landscape Waste: Any vegetable or plant material, trees, tree trimmings,  
branches, stumps, brush, weeds, leaves, grass,  
shrubby or like manner of things.
- Garbage: Any rejected or waste household food, offal, swill or  
carrion and every accumulation of animal, fruit or  
vegetable matter that attends the preparation, use,  
cooking and dealing in, or storage of meats, fish, fowl,  
fruits or vegetables and any other matter of any nature,  
which are subject to decay, putrefaction and the  
generation of noxious or offensive gases or odor, or,  
which during or after decay, may serve as a breeding  
or feeding material for rodents, flies or other germ-  
carrying insects or animals; provided, however, that  
"garbage" shall not mean or include landscape waste.

For purposes of this Chapter, "manure" shall not be considered "garbage".

Refuse:

Ashes, bottles, cans, cartons, books, newspapers, other paper products or boxes, materials, waste or debris resulting from construction sites; provided, however, that "refuse" shall not mean or include landscape waste.

4-6-2

#### BURNING OF GARBAGE OR REFUSE PROHIBITED.

The open burning of garbage or refuse shall be prohibited at all times.

4-6-3

#### OPEN BURNING RESTRICTIONS.

The open burning of landscape waste, shall be prohibited during the times, under the conditions and in the locations, as follows:

- A. On cloudy or overcast days; and
- B. During the hours of 8:00 p.m. and 8:00 a.m.; and
- C. During such times that the wind is in excess of ten (10) miles per hour; and
- D. Within twenty (20) feet of any building or structure; and
- E. During those times when the Health Departments of either DuPage or Kane County have determined and announced that weather inversion conditions exist; and
- F. On public roads, alleys, sidewalks or easements; and
- G. When the material being burned is other than dry landscape waste; and
- H. When a fire extinguisher or garden hose or other source of water is unavailable; and
- I. When the open burning is unsupervised.

## 4-6-4 EXEMPTION.

The open burning of landscape waste for prairie reclamation, recreational, ceremonial or cooking purposes or the burning in fireplaces contained within a residence or business shall be exempt from the provisions of this Chapter.

## 4-6-5 PENALTY.

Any person who is convicted of a violation of any provision of this Chapter shall be subject to the penalty set forth in Section 1-4-1 of the Wayne Village Code.

**Section 2.** All other ordinances or parts of ordinances in conflict with the provisions hereof are hereby repealed to the extent of such conflict.

**Section 3.** This ordinance shall be in full force and effect from and after its passage and approval as required by law.

PASSED AND APPROVED THIS 10 DAY OF April, 2000

AYES: Gawt, Lamplough, Levine, Walker (4)

NAYS: None

ABSENT: Connolly, Hwl (2)

Eileen Phipps  
Eileen Phipps, President

ATTEST:

Robin Fraser  
Deputy Village Clerk

clk\wayne\ord\opnburning